



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/506,228	02/17/2000	Baljeet Singh Baweja	AUS990915US1	7213

35525 7590 07/07/2003

DUKE W. YEE
CARSTENS, YEE & CAHOON, L.L.P.
P.O. BOX 802334
DALLAS, TX 75380

EXAMINER

NGUYEN, CAO H

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 07/07/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/506,228

Applicant(s)

Baweja et al.

Examiner

Cao (Kevin) Nguyen

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 24, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2173

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher et al. (US Patent No. 5,969,705) in view of Watanabe (US Patent No. 6,344,864).

Regarding claims 1, 21 and 41, Fisher discloses a method of copying computer files to a destination location, comprising: receiving a copy instruction, the copy instruction identifying a

Art Unit: 2173

plurality of computer files to be copied and the destination location (see col. 4, lines 9-65); and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied (see col. 5, lines 35-67); however, Fisher fails to explicitly teach displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied.

Watanabe teaches and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied (see col. 4, lines 15-55). It would have been obvious to one of an ordinary skill in the art the time the invention was made to provide and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied as taught by Watanabe to the system for controlling the user interface event display of displaying tree structure among multiple windows in order to enhance a user friendly while copy/delete file interactively on screen.

Regarding claim 2, Watanabe discloses wherein the plurality of computer files includes a currently copying computer file, the currently copying computer file being a computer file that is being copied at the same time the attributes of the plurality of computer files are displayed (see col. 5, lines 20-46).

Regarding claims 3 and 4, Fisher discloses further comprising displaying a progress indicator indicating an amount of the currently copying computer file that has been copied to the destination location; and further comprising displaying an estimated time of completion of copying the currently copying computer file (see figure 3).

Art Unit: 2173

Regarding claim 5, Fisher discloses wherein displaying the progress indicator includes: identifying a data size of the currently copying computer file; identifying an amount of data, corresponding to the currently copying computer file, that has already been copied to the destination location; and displaying the progress indicator based on the data size of the currently copying computer file and the amount of data that has already been copied (see col. 8, lines 2-45).

Regarding claim 6, Fisher discloses wherein displaying the estimated time of completion includes identifying a copy rate; identifying a data size of the currently copying computer file; identifying an amount of data, corresponding to the currently copying computer file, that has already been copied to the destination location; and displaying the estimated time of completion based on the copy rate, the data size of the currently copying computer file and the amount of data that has already been copied to the destination location (see col. 9, lines 5-45 and figures 2-4).

As claims 7-14 are analyzed as previously as discussed with respect to claims 1-6 above.

Regarding claim 15, Fisher discloses wherein the reorder criteria includes at least one of alphabetical order, reverse alphabetical order, smallest to largest file data size, largest to smallest file data size, oldest to most recent file creation date, and most recent to oldest file creation date (see col. 12, lines 10-29).

Art Unit: 2173

Regarding claim 16, Watanabe discloses wherein displaying the attributes of the plurality of computer files includes displaying the attributes of the plurality of computer files in a graphical user interface (see figures 2-4).

Regarding claim 17, Watanabe discloses receiving a skip command; and changing a display of an attribute of a computer file from the plurality of computer files to indicate that the computer file is to be skipped during copying of the plurality of computer files (see col. 4, lines 1-62).

Regarding claim 18, Fisher discloses receiving a delete command; and changing a display of an attribute of a computer file from the plurality of computer files to indicate that the computer file is to be deleted after copying of the plurality of computer files (see col. 11, lines 16-67).

Regarding claim 19, Watanabe discloses further comprising not copying computer files that have been indicated as being computer files that are to be skipped during copying of the plurality of computer files (see figures 2-5).

Regarding claim 20, Fisher discloses further comprising not copying computer files that have been indicated as being computer files that are to be skipped during copying of the plurality of computer files (see figures 5A-5C).

As claims 22-63 are analyzed as previously as discussed with respected to claims 1-6 and 15-20 above.

Art Unit: 2173

Response to Arguments

3. Applicant's arguments filed on April 25, 2003 have been fully considered but they are not persuasive.

At pages 15-22 of the Remarks, Applicant argues the limitations as claimed very broad and from specification as previously discussed with respect to argument as above and do not distinguish patentable over the prior art of record.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO-892).

Response

5. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-6306 may be used for formal communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Art Unit: 2173

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA. Sixth Floor (Receptionist).

Inquires

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

CAO (KEVIN) NGUYEN
PRIMARY EXAMINER

June 27, 2003